

Equality, Diversity, Inclusion and Equity (EDI&E) Policy and Procedure

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1. Introduction

At the Forest of Dean District Council, we are committed to achieving equal opportunities in employment and in the services that we provide. We aspire to have a diverse team at all levels that is representative of the community that we serve.

We want to treat people fairly, value differences, and remove barriers to people fully participating in public life. We all have different backgrounds, strengths, personal characteristics, perspectives, and attributes that, when harnessed and used collaboratively, are incredibly powerful. An inclusive and diverse culture helps each of us to benefit from these difference perspectives, experiences and skills.

Creating an inclusive and diverse culture, with equality for all, is a process of continuous improvement; we should never stop learning!

2. Purpose

This policy will:

- provide guidance on how we will provide equity, fairness and respect for all
- set out to remove discrimination and to promote inclusion and diversity
- provide definitions of discrimination with examples of what it may look like
- give assurance that the Forest of Dean District Council will comply with and adhere to the Equality Act 2010 which provides a single framework to tackle disadvantage and discrimination of people with protected characteristics (see section 5).
- Set out the key steps we take to make our culture as inclusive as possible, and how we ensure equality of opportunity throughout the employment lifecycle.

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

3. Scope

This policy applies to:

- Employees of the Forest of Dean District Council (temporary, part-time, or full-time)
- Contractors / agency
- Volunteers
- Apprentices
- Interns
- Work experience
- Job candidates
- Partners and stakeholders
- Members of the community that we work with

4. Expectations

Our commitment to you

We are committed to promoting a working environment based on dignity, trust, and respect, and one that is free from discrimination, harassment, bullying or victimisation.

What we expect from you

We expect people to take personal responsibility for observing, upholding and promoting this policy. Our culture is made in the day-to-day working interactions between us, so creating the right environment is a responsibility that we all share.

We expect you to treat your colleagues and third parties (including customers, suppliers, agency staff, consultants, councillors and members of the public) fairly and with dignity and respect. Sometimes this may mean allowing for different views and making space for others to contribute.

We are liable for discrimination and harassment as an organisation, and you should be aware that you can also be personally liable for discrimination and harassment.

What we expect from others

We expect third parties (including customers, suppliers, agency staff, consultants, councillors and members of the public) to treat you fairly and with dignity and respect. We will provide people with either a copy of this policy or with statements explaining our expectations around EDI&E (or, we will check that the relevant agency has policies in place that have the same requirements as ours and that staff have been made aware of the policy). We will take action if a third party is alleged to have breached our expectations.

5. Definitions

Understanding Equality, Diversity, Inclusion & Equity

Equality is not about 'treating everyone the same' but recognising that everyone is different, and that people's needs are met in different ways. Equality is essentially about fairness and ensuring that we all have the best possible chance to succeed in life whatever our background or identity.

This is closely related to **Equity** which is about ensuring that we provide resources to enable all people to be equal based on their needs. Equity tries to address the different opportunities for people to be equal.

Diversity is about understanding that everyone is unique. Recognising, respecting and celebrating the added value that differences bring.

Inclusion is where difference is seen as a benefit and where perspectives and differences are shared, leading to better decisions.

An **inclusive** working environment is one in which everyone feels valued, that their contribution matters, and they can perform to their full potential, regardless of background, identity, or circumstances. An inclusive workplace enables a diverse range of people to work together effectively.

Understanding Protected Characteristics

The Equality Act 2010 prohibits discrimination due to any one of the following 9 protected characteristics:

- Age
- Disability
- Gender reassignment
- Marital or civil partnership status
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin)
- Religion or belief
- Sex
- Sexual orientation

Where possible, the Forest of Dean District Council will tackle disadvantage and discrimination of all people, even if their characteristic is not a 'protected one' under the Equality Act. We will consult with best practice and continually review how we can improve our equality and inclusion, treating this as one for constant tending and discussion.

Harassment and victimisation are also prohibited under the Act.

Understanding Key Terms

Direct discrimination: treating someone with a protected characteristic less favourably than others (for example choosing not to recruit someone because they are disabled, and you think they wouldn't fit in to the team).

Indirect discrimination: putting rules or arrangements in place that apply to everyone, but that puts someone with a protected characteristic at an unfair disadvantage. An example is introducing a requirement for all staff to finish work at 6pm. It is arguable that female employees, who statistically bear the larger share of childcare responsibilities, could be at a disadvantage if the new working hours prevent them from collecting their children from school or nursery or prevent them from doing the job because they have to collect their children from school or nursery.

Unconscious bias: a person's general assumptions about the abilities, interests and characteristics of a particular group of people that influences how they treat those people. Such assumptions or prejudices many cause them to apply requirements or conditions that put those particular groups at a disadvantage. Examples include:

- steering employees into particular types of work on the basis of stereotypical assumptions without considering the particular attributes and abilities of individuals.
- recruiting or promoting individuals into particular roles because of assumptions about the reactions or preferences of other employees or clients, and
- using different standards for different groups of employees to judge performance.

Associative discrimination: Treating someone less favourably because they are associated with someone who has a protected characteristic, for example because their partner is transgender.

Discrimination by perception: Treating someone less favourably because you perceive them to have a protected characteristic even if they do not, for example choosing not to promote someone because you mistakenly perceive them to be gay.

Positive action: taking specific steps to improve equity in your workplace.

Harassment: unwanted behaviour linked to a protected characteristic that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment: unwanted conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them, or

Unwanted conduct of a sexual nature that is related to gender reassignment or sex which has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for them, and when rejected or submitted to results in less favourable treatment.

Victimisation: treating someone unfairly because they have complained about discrimination or harassment.

Bullying: There is no legal definition of bullying. However, we regard it as conduct that is offensive, intimidating, malicious, insulting, or an abuse or misuse of power, and usually persistent, that has the effect of undermining, humiliating, or injuring the recipient.

See the **Anti-Harassment and Bullying Policy and Procedure** for more information. This can be found in the Forest of Dean District Council staff portal.

Sex and Gender reassignment

The protected characteristic of sex in the Equality Act means biological sex. This is distinct from the protected characteristic of gender reassignment. This means that while transgender individuals are protected from discrimination, their rights are grounded in the characteristic of gender reassignment rather than sex.

In an equal pay claim the comparator must be of the opposite biological sex.

6. Specific types of discrimination

Disability

Talking about disability

We understand that some people find it hard to discuss their disabilities and that disability can be invisible. Psychological safety (where people feel able to speak up about their experiences without fear of negative consequences) is paramount to ensuring disability inclusion. We do not tolerate language that is negative, inappropriate or offensive towards people with a disability, this includes language that may take the form of jokes or 'banter'. If you adopt such language, action will be taken against you, including (where applicable) action under our Disciplinary Policy.

Discrimination arising from disability

Here are some ways that discrimination can occur:

Treating someone unfavourably because of something connected with that person's disability and where such treatment is not justified. Examples include:

- dismissing someone or failing to pay a bonus to someone because of their disability-related absence or
- disciplining someone for losing their temper where such a loss of temper was out of character and was due to severe pain caused by having cancer.

Failing to make reasonable adjustments for disabled employees. Employers are legally obliged to make reasonable adjustments to ensure that aspects of employment, or the employer's premises, do not put a disabled person at a substantial disadvantage. Failing to comply with this duty is unlawful. Examples of reasonable adjustments might include:

- allocating some of the disabled person's duties to a colleague
- changing their working

Recruiting people with a disability

The recruitment team and our Human Resources (HR) Team will consider disability in advance of a recruitment campaign so that advertising, application forms and assessments, arrangements for interviews, job descriptions and employee specifications, and selection criteria are appropriate and as inclusive as possible.

We will ask applicants at the outset if they require any reasonable adjustments to be made to the recruitment process. These may include ensuring easy access to the premises for an interview/adapting psychometric tests/replacing psychometric tests with an alternative option/providing an alternative to a telephone interview for a deaf candidate/providing a suitable chair for an interview with a candidate suffering from back problems.

The Forest of Dean District Council is a Disability Confident employer which means that candidates with a disability who successfully evidence the essential criteria on the person specification will be offered a job interview.

If you participate in the interview process, you must not ask job applicants about their health or disability. This is only appropriate in exceptional circumstances and where there are specific legal grounds for doing so. If you have any concerns, please seek advice from your HR Team.

Reasonable adjustments

If you have a disability, you do not have to tell us. However, we would encourage you to let us know so that we can support you, for example by making reasonable adjustments to our premises or to aspects of your role, or to our working practices.

If you are experiencing difficulties at work because of your disability, please contact your line manager to discuss potential reasonable adjustments that may alleviate or minimise such difficulties. We may need to discuss your needs with you and a medical adviser to help us get the right support in place. If this is the case, you will have a documented framework of the agreed reasonable adjustments, which will be reviewed on a regular basis, but will remain in situ for the duration of employment.

Disability-related absence (long-term)

For colleagues who are returning from long-term disability-related absence, we have a return-to-work support programme in place.

Support with a disability

If you have a disability, or you care for someone with a disability, and need emotional support or help with practical issues, please contact your line manager in the first instance. You can also seek support and advice by contacting HR or your Trade Union representative.

Menopause

Whilst the menopause is not necessarily recognized as a disability, we aim to be supportive and inclusive of employees undergoing the menopause and will make adjustments and accommodations where possible.

Please see the [Menopause Policy](#) for further information and details.

Gender reassignment

No one will be discriminated against on the grounds of gender reassignment.

The Equality Act 2010 defines this as proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.

We expect all staff to treat any employee who is undergoing gender reassignment with respect and an open-minded attitude. Be ready to listen and understand their needs and concerns. All employees deserve to be treated with respect and sensitivity about their personal lives. Similarly, a person undergoing gender reassignment should accept that people may make mistaken assumptions and extend grace and patience to others in helping them to understand.

Religion or belief

No one will be discriminated against on the basis of their religion or belief.

The 2010 Equality Act gives these definitions:

- (a) “religion” means any religion,
- (b) “belief” means any religious or philosophical belief,
- (c) a reference to religion includes a reference to lack of religion, and
- (d) a reference to belief includes a reference to lack of belief

The right to dignity and respect in the workplace means that we expect all staff to treat each other with respect even if they have different views.

Pregnancy and maternity

Pregnant employees and/or employees who have taken birth-related leave have the right not to be treated unfairly or dismissed because of a reason related to their pregnancy/maternity.

If an employee is at risk of redundancy during maternity or for 18 months from the expected week of childbirth or birth, they have the right to be offered a suitable alternative vacancy.

Pregnant women will not be discriminated against when applying for any Forest of Dean District Council vacancies (internally or externally) or for training or development opportunities.

For more details on rights during maternity see the [Maternity Policy](#).

Neurodiversity

Where neurodivergent conditions fall within the definition of disability under the Equality Act 2010, persons having such conditions will have the protected characteristic of disability under the Act.

We will support people with neurodiversity at all stages of the employment lifecycle and are open to working with people with neurodiversity by listening to their needs and supporting with reasonable adjustments. Examples of things that we can do include:

- giving job candidates more time to answer questions in interviews
- ensuring quiet workspaces with low level lighting
- coaching staff to plan and manage their time
- offering more frequent, shorter breaks
- reviewing tasks in different formats – e.g., mind mapping
- providing more regular check-ins

7. EDI&E Training

All staff must complete the mandatory training provided for the whole workforce via iHASCO, our online training portal. If you are involved with making decisions about a person's employment, you must attend

appropriate equality, diversity, and inclusion (EDI&E) training. All managers are required to attend EDI&E training.

All new starters must complete EDI&E training as part of their onboarding programme.

Every current employee must complete regular EDI&E training on at least an annual basis.

8. EDI&E in Recruitment

We take reasonable and appropriate steps to encourage job applications from as diverse a range of people as possible.

We will ensure anyone making a decision about recruitment does not discriminate in any way and has attended appropriate training.

Every decision-maker should challenge themselves, and other members of the recruitment selection panel, to make sure that any stereotypes, unconscious bias, or prejudice do not play any part in recruitment decisions. For example, question and check the basis of your decisions and ensure that you are making a decision on an objective criterion for the role. Where possible, selection panels should aim to be diverse.

Please refer to the [Recruitment Policy](#) for more information.

9. Monitoring and review

We will aim to analyse diversity and inclusion data (in compliance with our data protection obligations) on an ongoing basis to assess the impact of this policy and our equality, diversity, inclusion and equity strategy. We would look to address any issues identified by this data.

You are also responsible for ensuring the data we hold for you is correct, please take the time to regularly check your business world data and update us when your personal information changes. If you have any questions, queries, or concerns.

We are continually looking at ways to promote EDI&E in the workplace, not only through training but also through the online portal; we welcome suggestions from our employees at any time.

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